IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

RP.No. 743 of 2007(T)

AGAINST THE JUDGEMENT/ORDER IN WPC.4158/2005 Dated 19/07/2007

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REVIEW PETITIONER/PETITIONER :

C.P.VENUGOPALAN, S/O. PADMANABHAN
ACHARY, CHITHRANJALI, KOMALAMKUNNU,
PUNALUR VILLAGE, PATHANAPURAM TALUK.

BY ADV. SRI.G.BHAGAVAT SINGH

RESPONDENTS: RESPONDENT:

C.P.SARASWATHY,
MADHAVA SADANAM, PUNALUR MURI, PUNALUR VILLAGE,
PATHANAPURAM TALUK.

BY ADV. S. GOPAKUMARAN NAIR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

R.P. No. 743 OF 2007
IN
W.P.(C) No. 4158 OF 2005

Dated this the 14th day of August, 2007

O R D E R

It is now clear that the counter claim which is permitted to be pursued under my judgment was not a counter claim against the plaintiff's claim. In fact it was a counter claim against the 5th defendant's claim. Such counter claims are not envisaged by Order VIII Rule 6 A. The Review Petition will stand allowed. My judgment sought to be reviewed is recalled. Post the Writ Petition for hearing.

PIUS C. KURIAKOSE, JUDGE

btt